

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In Re:	:	Chapter 7
	:	
GERSHON BARKANY,	:	Case No. 8-14-72941
	:	
Debtor,	:	
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MARC A. PERGAMENT, Interim Chapter 7	:	
Trustee Of The Estate Of Gershon Barkany,	:	
	:	
Plaintiff,	:	
v.	:	Adv. Proc. No. 8-15-08244
	:	
ALAN GERSON, BRUCE MONTAGUE &	:	
PARTNERS, ALFRED SCHOENBERGER,	:	Hearing Date/Time:
MARINA DISTRICT DEVELOPMENT CO.	:	November 10, 2015
LLC, BARKANY ASSET RECOVERY &	:	10:00 a.m.
MANAGEMENT LLC, DANIEL HIRSCHLER,	:	
JOSEPH ROSENBERG, AND GOLDBERG &	:	
RIMBERG PLLC,	:	
	:	
Defendants.	:	
	:	

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, Defendant Marina District Development Co., LLC will move this Court, on November 17, 2015 at 10:00 a.m. or as soon thereafter as counsel may be heard, before the Honorable Louis A. Scarella, United States Bankruptcy Judge, at the Alfonse M. D'Amato Federal Courthouse, Courtroom 760, 290 Federal Plaza, Central Islip, New York, for an Order pursuant to Fed. R. Bankr. P. 7012(b) and Fed. R. Civ. P. 12(b)(6) dismissing Plaintiff's Complaint with prejudice.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, are due to be filed and served no later than November 10, 2015.

Dated: Hackensack, NJ
October 2, 2015

Respectfully Submitted,

s/Jeremy Klausner
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